By granting the EDF petition, EPA took pains to add that it was only going so far as to agree to initiate a rule-making. Agency has not decided on the ultimate form regulatory program will take. However, in a draft ANPRM EPA states it is not inclined to pursue an industry funding of the regulatory action because of legal problems associated with this approach.

In addition, congressional efforts address asbestos in public schools. Senator Jacob Javits (R-NY) introduced a bill Aug. 2 (S.1658) which is similar to the present form of H.R.3282. No industry funding provision is included. As of yet no action is scheduled on S.1658.

The next step for H.R.3282, introduced by Rep. George Miller (D-CA), is action by the whole House. An effort to amend this bill on the floor of the House so as to re-instate the industry funding provision reportedly will be made by Rep. Cecil Heftel (D-HI). It is not yet known when H.R.3282 will reach the House Floor.

OSHA's Generic Cancer Policy Close To Publication Date

Best information indicates that OSHA's much publicized generic cancer policy regulation will be issued in Sept. Initial proposal was published in Federal Register on Oct. 4, 1977, followed by lengthy public hearing during summer '78. Over 150 witnesses generated more than 7,000 pages of testimony to make this the largest record in OSHA's rulemaking history. AIA/NA commented on proposal and participated in public hearing. Association emphasized that recycling of existing health standards (including asbestos) would be inappropriate under generic proposal. Recycling is not expected to be a requirement of new regulation.

Preamble of policy is reported to be 1,000 pages in length. OSHA has continued to use consulting firm of Clement Associates for work on this project. Final policy may not differ substantially from that proposed, i.e. toxic substances would be classified into one of four categories, with specific regulatory action to follow.

Final policy is not expected to be subjected to any further regulatory review. It is likely, however, that OSHA's generic policy will be challenged in the courts.

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